

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 1-17 are pending. In the present amendment, Claims 1, 3, and 8 are currently amended. Support for the present amendments can be found in the specification, for example, at page 4, lines 24-28, at page 9, lines 19-27, and in original Claim 3. Thus, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as anticipated by Inoue et al. (U.S. Patent No. 5,840,351, hereinafter “Inoue”); Claims 1 and 2 were rejected under 35 U.S.C. § 102(e) as anticipated by Shimada et al. (U.S. Patent No. 7,037,885, hereinafter “Shimada”); Claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as unpatentable over Jackson (U.S. Patent No. 174,365) in view of Hobson (U.S. Patent No. 4,178,003); and Claims 3-13 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Inoue, Shimada, or Jackson and Hobson, and further in view of Shibata et al. (Japanese Patent Publication No. 2002-121599, hereinafter “Shibata”).

This amendment is submitted in accordance with 37 C.F.R. § 1.116 which, after final rejection, permits entering of amendments canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, or presenting rejected claims in better form for consideration on appeal. The present amendment amend Claim 1 to include subject matter from Claim 3 and amends Claim 8 to clarify the previously-claimed difference is between the two surface roughness in order to present the rejected claims in better form for consideration on appeal. Therefore, this amendment only includes subject matter which was earlier presented. Thus, no new matter has been added, and this amendment does not raise new issues requiring further consideration and/or search. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. § 1.116.

Turning now to the rejections under 35 U.S.C. § 102(b), 35 U.S.C. § 102(e), and 35 U.S.C. § 103(a), Applicants respectfully request reconsideration of these rejections and traverse these rejections, as discussed below.

As discussed above, Claim 1 is hereby amended to include subject matter from Claim 3. Specifically, Claim 1 recites that “a difference of a surface roughness Ra of the recess of the one of the splits and a surface roughness Ra of the recess of any of the other splits is 0.1 to 0.3 μm .” Accordingly, as discussed in the original specification, for example, at page 4, lines 24-28, as a result of extensive investigation, the inventors of the present application have found the unexpected result that a soap bar clings to a first split with a smaller surface roughness when the *difference* in the surface roughness are between the recess of the first split and the recess of the second split falls within a range from 0.1 to 30 μm . Thus, the range of surface roughness recited in Claim 1 is the difference between a surface roughness of the recesses of the individual splits. It is respectfully submitted that the cited references do not disclose or suggest every feature recited in amended Claim 1.

As noted in the second paragraph of section 6 on page 5 of the Office Action, Shimada, Jackson and Hobson, do not disclose or suggest the split molds having a difference in surface roughness of 0.1 to 30 μm . The Office Action relies on Shibata to cure this deficiency of the above-noted references.

Shibata describes a die 2 that is part of a mold for making soap.¹ Further, as can be seen in drawing 1, the die 2 includes a bottom part 21 and a punch 22. Further, Shibata states that the surface roughness Ra of an inner surface of the die 2 is 0.1-30 μm .²

However, it is respectfully submitted that the cited combinations of references do not disclose or suggest that “a difference of a surface roughness Ra of the recess of the one of the

¹ See Shibata at paragraph [0005]. It is noted that the paragraph and figure citations herein are from a machine English language translation of the reference.

² See Shibata at paragraph [0013].

splits and a surface roughness Ra of the recess of any of the other splits is 0.1 to 30 μm ,” as recited in amended Claim 1.

Instead, as discussed above, Shibata is describing the inner surface of *the entire die 2* (which includes both the bottom part 21 and the punch 22) as having the surface roughness Ra of 0.1-30 μm . Therefore, Shibata does not disclose or suggest a *difference* between the surface roughness of the recesses in the bottom part 21 and the punch 22. Accordingly, Shibata does not disclose or suggest that these parts of the die 2 should have different roughness. Thus, neither Shibata nor any of the other cited references (Inoue, Shimada, Jackson and Hobson) disclose or suggest a difference of the surface roughness of the recesses of different parts of the mold.

Therefore, it is respectfully submitted that none of the references, either alone or in combination thereof, disclose or suggest every feature recited in amended Claim 1. Accordingly, it is respectfully submitted that Claim 1 patentably defines over the cited references.

Further, although directed to an alternative embodiment, it is noted that Claim 8 recites similar features to those discussed above with respect to Claim 1. Therefore, it is also respectfully submitted that Claim 8 patentably defines over the cited references. Thus, it is respectfully requested that each of the rejections in the outstanding Office Action be withdrawn.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

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